

Application No.: 10/735,602

Docket No.: JCLA10516

REMARKS**Present Status of the Application**

The Office Action rejected claims 1-15 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended claims 1, 8, 11 and 13 to more clearly define the present invention. In particular, "the control of the controller" in claims 1 and 11 is amended to "the control valve", and the "a controller" in claims 1 and 11 is amended to "a control valve". The control valve marked 224 is shown in the drawing and described in the specification of the present application. It is believed the foregoing amendments can overcome the rejections of 35 U.S.C. 112, second paragraph.

In addition, the Office Action also rejected claims 1-2, 4-15 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6, 9-10 and 12-22 of US 6,436,709.

In response thereto, Applicant has provided a terminal disclaimer. The submission of the terminal disclaimer by the Applicant is solely to advance the prosecution of the application, without conceding that the double patenting rejection is properly based. Reconsideration and withdrawal of the rejection are courteously requested.

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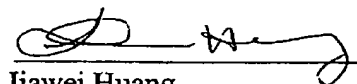
CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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